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Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Pacific Islands Forum

Letter dated 31 October 2006 from the Chargé d'affaires a.i. of Fiji to the United Nations addressed to the President of the General Assembly

On behalf of the Pacific Islands Forum, I have the honour to request your assistance in circulating the present letter and its annex, the attached communiqué of the thirty-seventh Pacific Islands Forum, as a document of the sixty-first session of the General Assembly, under agenda item 108 (r).

(*Signed*) Filimone **Kau**
Chargé d'affaires a.i.
Chairman, PIF New York

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Annex to the letter dated 31 October 2006 from the Chargé d'affaires a.i. of Fiji to the United Nations addressed to the President of the General Assembly

Thirty-seventh Pacific Islands Forum
Fiji
24-25 October 2006

Forum communiqué

1. The Thirty-Seventh Pacific Islands Forum was held in Fiji, from 24-25 October 2006 and was attended by Heads of State and Government of Australia, the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. New Caledonia and French Polynesia also attended the formal session as Associate members and Timor-Leste and Tokelau as observers. The Forum Retreat was held at Denarau, Nadi, Fiji.

2. Leaders expressed their deep appreciation to the Government and People of Fiji for hosting the 2006 meeting and for the warm and generous manner in which they have been welcomed and for the arrangements made for the meetings. They also thanked the Prime Minister of Fiji for assuming the role of the chairmanship of the 37th Pacific Islands Forum at short notice. They commended the firm commitment of the Government of Fiji to the continuing process of promoting national unity, and called on all parties to continue to observe democracy and the rule of law.

3. Leaders extended their sympathies to the Government and people of Tonga on the recent passing of His Majesty, King Taufa'ahau Tupou IV of Tonga.

Pacific Plan

4. Leaders welcomed the considerable progress made in implementing the Pacific Plan, noting that there were many significant initiatives gaining momentum under the Plan and that support from regional organisations and development partners had been a strong and positive feature to date. Leaders also noted the key challenges that need to be overcome in order for the Plan to be effectively implemented. Paramount was that of fully translating the regional initiatives being developed into plans and follow-up actions at the national level. Leaders agreed on a number of key commitments in order to move the Plan forward in the next twelve months. Priority areas for attention under the Pacific Plan are listed in enclosure 1.

5. Leaders called for efforts to intensify regional cooperation in relation to energy, transport and ICT. Leaders considered these focal areas to be particular priorities for strengthening regionalism which will deliver significant impacts to communities as well as strengthening intergovernmental processes in support of sustainable development, economic growth, good governance and security. They called on CROP agencies and member countries to develop detailed frameworks for intensifying regional cooperation including initial action steps for 2007, with a progress report to Leaders at the 2007 Forum.

6. Leaders recognised the detrimental impact on people and countries in the region of increased oil prices particularly in small island economies. They affirmed the importance of assured long-term energy security to the future prosperity of the region. They welcomed proposals to explore the possibilities for bulk petroleum purchasing and for exploitation of renewable energy resources. They called on SOPAC to convene a meeting of regional Energy Ministers as a matter of priority, to discuss the energy challenges facing the region, to take stock of work in train, and to assess the scope for strengthening regional cooperation in this sector, including in respect of alternative and renewable energy sources.

7. Leaders also recognised the importance of transport links to trade and economic growth as well as to the movement of people. They favoured a holistic approach to transport and transport security issues in the region. They called on the Secretariat to examine the scope for intensifying regional cooperation to ensure safe effective transport options building on the regional transport principles, including focusing on enhancing shipping services for Smaller Island States.

8. Leaders agreed that effective regional ICT would have significant beneficial impacts on private sector development and education in the region. They saw particular advantages for rural populations in accessing modern digital technology. They called for greater efforts to deliver these benefits to the grassroots level. Leaders welcomed the outcomes of the Meeting of Communications Ministers in New Zealand in March, which set out a stepladder approach to ICT development. They called for further work building on the outcomes of the Meeting.

9. Leaders emphasised the need to advance the various trade negotiations in which the region is engaged and for members to speedily conclude the domestic arrangements required for them to trade under the Pacific Island Countries Trade Agreement (PICTA). Leaders reaffirmed the importance of the completion of the PACER impact study and gap analysis as reaffirmed at the 2006 Forum Trade Ministers Meeting, in order for Trade Ministers to consider the implications at their next meeting prior to the next Forum Leaders' Meeting.

Labour Mobility

10. Leaders discussed the labour mobility scheme and recalled their decision the previous year to continue to consider the issue of labour mobility in the context of member countries' immigration policies. They agreed to continue to explore opportunities for developing labour mobility schemes that would benefit Forum Island Countries.

11. Leaders were briefed on an announcement to be made in New Zealand on 25 October 2006 on seasonal labour mobility. Leaders welcomed this development and looked forward to further details.

12. Leaders also welcomed the progress on the establishment of the Australia-Pacific Technical College, including the announcement by Australia, that the College headquarters would be located in Suva, Fiji with a network of training centers in Fiji, Papua New Guinea, Samoa and Vanuatu. They noted the College's focus on skills training in the automotive, construction and electrical, manufacturing trades, health and community services and hospitality and tourism fields would make a significant contribution to developing a skilled and competitive Pacific workforce. Leaders also welcomed Australia's generous scholarships package to ensure

equitable access to the training programmes of the College for smaller and more isolated Pacific communities.

Regional Fisheries: Strategic Issues

13. Leaders noted the continued progress on their directive to seek greater sustainable returns from fisheries and to establish ministerial oversight of regional fisheries matters. They welcomed in particular the development of the FFA Ecosystem Approach to fisheries management; the template for model fisheries management legislation; the regional fisheries compliance strategy; and the Sustainable Development Framework for Pacific Fisheries. They also noted the status of the negotiation of a possible Fisheries Partnership Agreement with the EU; and the adoption of the Vessel Day Scheme by the parties to the Palau Arrangement.

Deep Sea Bottom Trawling

14. Forum Leaders reiterated their concerns regarding the destructive fishing practices on seamounts in the Western Tropical Pacific Island Area (WTPIA) and in other areas of high seas in the WTPIA and adopted the Declaration on Deep Sea Bottom Trawling to Protect Biodiversity in the High Seas (see enclosure 2) to manage this method of fishing to protect biodiversity in the high seas.

Climate Variability and Change, Sea Level Rise and Extreme Weather Events

15. Leaders reaffirmed their commitment to the Pacific Islands Framework for Action on Climate Change 2006-2015 and noted that development of initiatives under the Framework is identified as a priority for action under the Pacific Plan, along with mainstreaming climate change into national sustainable development strategies. Leaders urged the Secretariat of the Pacific Regional Environment Programme to give priority to its work in translating the Framework into on-the-ground progress.

Funding for Sustainable Development

16. Leaders reaffirmed their commitment to the sustainable management of natural resources and the use of locally managed and protected areas as a mechanism to enhance and contribute to the sustainable development of Members and as such to the implementation of the Pacific Plan. They welcomed the commitments made by Palau, the Federated States of Micronesia, the Republic of the Marshall Islands (the Micronesia Challenge) as well as the substantial commitments made by Fiji and Kiribati. They encouraged Members to consider similar, substantial and specific commitments to the conservation and sustainable management of marine and terrestrial resources. Leaders also welcomed SPREP's Island Life Campaign and the development of a Global Island Partnership to focus international attention towards national action for the conservation and sustainable use of island biodiversity.

17. They called on the international community to support members' efforts in determining the value of conservation to sustainable development and livelihoods; to match financial commitments already made to conservation and sustainable livelihoods in Forum member countries; and to assist in the development and resourcing of realistic financial plans in support of the conservation and sustainable use of their natural resources. Leaders tasked the Forum Secretariat to work with relevant CROP agencies, international organisations and NGOs to identify the value of conservation to the region's sustainable development, and report on the progress of this initiative and steps taken to finance conservation commitments to the 2007 Forum Officials Committee and Leaders Meeting.

Pacific Regional Strategy on HIV/AIDS

18. Leaders noted the progress made in the implementation of the Regional Strategy on HIV and AIDS and re-affirmed their commitment to the achievement of the objectives of the Regional Strategy at all appropriate levels in their governments.

Pacific Regional Influenza Pandemic Preparedness Project

19. Leaders welcomed the development of the Pacific Regional Influenza Pandemic Preparedness Project that builds in a sustainable way the capacity of Pacific Island Countries and Territories to deal with the potential threat of another pandemic and to prepare the response to other emerging diseases, in line with the International Health Regulations and regional guidelines and strategies. Leaders noted the ongoing need for commitment, at the highest political level, for the implementation of the project and International Health Regulations.

Regional Assistance Mission to Solomon Islands (RAMSI)

20. Leaders acknowledged the strong contribution RAMSI has made to the restoration of security, governance and rehabilitation of the economy of the Solomon Islands; and agreed that given the many challenges which still lie ahead, it is important that RAMSI continue, in close consultation with the Government of Solomon Islands and the Pacific Islands Forum, its work as an integrated broad ranging mission and should be fully supported in its efforts by all regional partners.

21. Leaders agreed to establish a taskforce to expeditiously review RAMSI, to report back to Foreign Ministers who will make recommendations to Leaders, and agreed that in the meantime:

    (a) RAMSI will continue in its current form; and

    (b) that a consultation mechanism between the Government of Solomon Islands, RAMSI, and the Pacific Islands Forum be established, chaired by the representative of the Forum Chair and involving senior representatives of the Forum Troika of past, present and incoming chairs.

22. The Leaders further agreed that:

    (a) pursuant to this consultation mechanism, there should be quarterly consultations;

(b) the consultative group will not be involved in operational decisions, but would act as a high level reference group and discuss the broad policy directions of RAMSI and progress achieved; and

(c) the consultative group will report quarterly to Forum Leaders.

Pacific Regional Assistance To Nauru

23. Leaders welcomed the achievements of the Pacific Regional Assistance to Nauru since their last meeting. They reiterated their support for Nauru through its policy of good governance under the Pacific Regional Assistance to Nauru framework, including supporting Nauru's National Sustainable Development Strategy.

Counter-terrorism

24. Leaders noted that a response to a terrorist incident in the region might include requests for external assistance and that a Regional Cooperation for Counter-Terrorism Assistance and Response model to facilitate such requests would be developed for consideration by the 2007 Forum Regional Security Committee and Leaders' Meeting.

Comprehensive Test Ban Treaty

25. Leaders encouraged Members, development partners, and all those other countries which have not yet done so, to sign and ratify the Comprehensive Nuclear Test Ban Treaty (CTBT). They noted that this year marks the tenth anniversary of the Treaty's opening for signature and affirmed the importance of entry into force of the CTBT as a practical step and an effective measure towards nuclear disarmament and nuclear non-proliferation. Leaders also encouraged Members who have agreed to host monitoring stations under the global verification regime to ensure that national arrangements required for setting up and operating the stations are established and maintained.

Shipment of Radioactive Materials

26. Leaders reiterated their concerns about the risks of economic loss in an incident involving the shipment of radioactive materials through the Pacific, and restated their view that in the event of losses directly attributable to such an incident, there is an imperative on the shipping states not to leave the countries suffering those losses unsupported.

Radioactive Contaminants in the Republic of the Marshall Islands

27. Leaders recognised the special circumstances pertaining to the continued presence of radioactive contaminants in the Republic of the Marshall Islands and reaffirmed the existence of a special responsibility by the United States of America towards the people of the Marshall Islands, who have been, and continue to be, adversely affected as a direct result of nuclear weapons tests conducted by the United States during its administration of the islands under the UN Trusteeship mandate. They reiterated their call on the United States to live up to its full obligations on the provision of adequate and fair compensation and commitment to its responsibility for the safe

resettlement of displaced populations, including the full and final restoration to economic productivity of all affected areas. They also noted the continuing dialogue between the Governments of the Republic of the Marshall Islands and the United States, including the U.S. Congress, Senate and Administration, and agreed to submit a letter to the United States Government urging it to meet its obligations as presented in the Marshall Islands' Changed Circumstance Petition to the United States. Leaders encouraged members to lend support to the Marshall Islands on this issue at the United Nations General Assembly and other international fora and to continue to assist by raising the issue with Members of the U.S. Congress.

Regional Institutional Framework Review

28. Leaders considered the Regional Institutional Framework Review and agreed to establish a Taskforce to work through the issues that have been identified and report back to Leaders at their 2007 meeting. They also agreed that the time for the transition period should be left open. Leaders tasked the Forum Secretariat to proceed with an exercise aimed at refining its core priorities and to progress the recommendations relating to the establishment of regional offices or the placement of staff members in each member country.

Post-Forum Dialogue Review

29. Leaders considered the Review of the Post-Forum Dialogue. They endorsed the recommendations of the review for implementation at the 2007 Post-Forum Dialogue subject to further discussions. Leaders noted that six Forum members have established diplomatic relations with Taiwan/Republic of China. They tasked the Forum Secretariat to undertake further work to ensure that the consultative relationship with all members' partners is at an appropriate level.

Associate Members and Observers

30. Leaders approved the application of New Caledonia and French Polynesia for associate membership of the Forum. They invited Wallis and Futuna, the United Nations, Commonwealth Secretariat and Asian Development Bank to become Forum observers. Leaders deferred further consideration of applications by American Samoa and Guam until outstanding issues were resolved.

Papua

31. Leaders welcomed the establishment by the sovereign authority, Indonesia, of the Papuan Peoples Assembly (MRT) and the moves towards the full implementation of the 2001 special autonomy law and the development of Papua. Leaders expressed concern about reports of violence in Papua and called on all parties to protect and uphold the human rights of all residents in Papua and to work to address the root causes of such conflicts by peaceful means. They also urged the 6 Indonesian authorities to bring to justice the perpetrators of serious crimes in the Province of Papua.

North Korea

32. Leaders welcomed the unanimous United Nations Security Council Resolution 1718 of 14 October 2006, which strongly condemned North Korea's nuclear test, demanded that North Korea submit to the discipline of the Nuclear Non-Proliferation Treaty and eliminate its nuclear and Weapons of Mass Destruction programmes and imposed a range of wide-ranging sanctions. Forum members noted the Resolution reflected the international community's determination that North Korea not be allowed to threaten international security. Leaders noted that North Korea was the only party placing conditions on reconvening the six-party talks, the most effective mechanism to resolve the nuclear issue, and a process to which the other five parties have committed in good faith. Forum members called on North Korea to return immediately and without delay to these talks and implement immediately the obligations it agreed to under the September 2005 Joint Statement.

Results of the Smaller Island States Leaders' Summit

33. Leaders noted the outcomes of the Smaller Island States Leaders' Summit.

Results of the Pacific ACP Leaders' Meeting

34. Leaders noted the outcomes of the Pacific ACP (PACP) Leaders' meeting.

Appreciation

35. Leaders commended the outgoing Chair, Right Hon Grand Chief, Sir Michael T. Somare, Prime Minister of Papua New Guinea, and his Government for their leadership of the Forum over the past year.

Position of Secretary General

36. Leaders unanimously agreed to reappoint Mr. Greg Urwin as Secretary General of the Forum Secretariat for a further term of three years.

Venue

37. Leaders welcomed the Government of Tonga's offer to host the 2007 Forum and noted the Government of Niue's offer to host the 2008 Forum.

Nadi, Fiji
24 October 2006

Enclosure 1

NADI DECISIONS ON THE PACIFIC PLAN

In order to advance the Pacific Plan over the next twelve months, Leaders:

Economic Growth

- Affirmed the importance of long-term energy security to the future prosperity of the region, requiring intensified regional engagement and endorsed the convening of a meeting of regional Energy Ministers and officials as soon as possible and before the Fifteenth Session of the Commission on Sustainable Development (scheduled for April 2007);
- Tasked the Secretariat to prioritise its role in energy issues and called on SOPAC to provide leadership on the implementation of the Pacific Regional Energy Policy;
- Agreed that efforts be intensified in regional economic integration, including implementation of the PICTA and PACER, that more directly address the objectives of the Pacific Plan, and reaffirmed the importance of the completion of the PACER impact study and gap analysis as reaffirmed at the 2006 Forum Trade Ministers Meeting, in order for Trade Ministers to consider the implications at their next meeting prior to the next Forum Leaders' Meeting;
- Reaffirmed the need to coordinate intensified regional trade and economic initiatives with other regional priorities such as trade in services, including labour mobility, public health and other social/cultural benefits;
- Agreed that consideration be given to the establishment of an effective regional dispute resolution mechanism to deal with differences that may arise out of regional trade and economic agreements;
- In recognising the importance of the work underway in the ICT sector; and in particular, the establishment of the ICT Taskforce, urged the Taskforce to maintain and, if possible, enhance the momentum of its work, and supported the proposal to establish a Pacific Regional ICT Resource Center;
- Affirmed the importance of intensified regional action to ensure effective transportation within the region focusing on the needs of SIS members, including in respect of shipping services.

Sustainable Development

- Requested regional organisations and development partners to assist countries improve access to and effectiveness of international financing under Multilateral Environment Agreements;
- Recommended that water, sanitation and hygiene challenges facing the region be directly addressed under the Pacific Plan through the Pacific Regional Action Plan on Sustainable Water Management;
- Expressed support for the regional initiatives being reported on in natural resource management and the environment, education and training and public health;

Good Governance

- Agreed that regional support for good governance initiatives, including those promoted by the Forum Economic Ministers, be encouraged and intensified over the next twelve months;
- Agreed that greater attention be given to encouraging participatory democracy (Pacific Plan Initiative 12.6) and implementing international conventions on human rights (Pacific Plan Initiative 12.5) as essential tools to underpin improvements in institutional governance;

Security

- Supported the recommendations of the Forum Regional Security Committee and other regional bodies working to enhance regional safety and security, including a focus on broader political and human security issues and the need to match them with national efforts;

Implementation/Partnerships

- Agreed that aid effectiveness be made an integral part of the Pacific Plan and of the necessary national planning requirements under it;
- Committed their governments to take responsibility for implementing and reporting on the Pacific Plan, and to ensure that national policies and mechanisms on regionalism are in place by the 2007 Forum meeting;
- Directed that regional policy frameworks or action plans are mainstreamed at the national level under National Sustainable Development Strategies (NSDS) or similar processes, and that regional organisations and development partners, work within such a framework;
- Committed their governments to pursuing national interests in ways that complement or support the overall interest of the region as well;
- Agreed that the Pacific Plan reports focus more on outcomes and benefits to member countries; and
- Reaffirmed that their intention to develop the Pacific Plan as a 'springboard' for debating and negotiating the region's long term future be continued in an open and inclusive manner.

Enclosure 2

DECLARATION ON DEEP-SEA BOTTOM TRAWLING TO PROTECT BIODIVERSITY IN THE HIGH SEAS

RECALLING the decision of the 36th Pacific Islands Forum leaders in Port Moresby, Papua New Guinea in October 2005 to develop an appropriate legal framework to manage deep-sea bottom trawling to protect biodiversity in the high seas;

FURTHER RECALLING the 4th Pacific Community Conference in Palau in November 2005 that agreed with respect to deep-sea bottom trawling and high seas seamounts that SPC should work with FFA and other partners to develop an appropriate management framework for consideration by members;

RECALLING the Pacific Islands Regional Oceans Policy endorsed by Pacific Islands Forum leaders in 2002 which aims to ensure the future sustainable use of our oceans and its resources by Pacific Island communities and partners, and the need to establish high-level leadership on oceans issues;

RECOGNISING the critical importance of marine resources to the Pacific Island peoples;

SERIOUSLY CONCERNED about the sustainability of fish stocks and the effects of destructive fishing practices on the marine environment, including high seas bottom trawling that has adverse impacts on vulnerable marine ecosystems;

CONSCIOUS of the need to avoid adverse impacts on the marine environment, preserve biodiversity, maintain the integrity of marine ecosystems and minimize the risk of long-term or irreversible effects of fishing operations;

NOTING that it is in the mutual interest of all fishing nations active in the region, and the Pacific Islands, to protect and preserve the marine environment;

FURTHER NOTING the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction in the "Western Tropical Pacific Island Area"[1] should be based on the precautionary and ecosystem approaches using the best available science

RECALLING the United Nations General Assembly resolution 59/25 which called upon States, either by themselves or through regional fisheries management organizations or arrangements, where these are competent to do so, to take action urgently, and consider on a case-by-case basis and on a scientific basis, including the application of the precautionary approach, the interim prohibition of destructive fishing practices, including bottom trawling that has adverse impacts on vulnerable marine ecosystems, including seamounts, hydrothermal vents and cold water corals located beyond national jurisdiction, until such time as appropriate conservation and management measures have been adopted in accordance with international law; (2004 UNGA Resolution 59/25)

RECALLING the relevant provisions of the 1982 United Nations Convention on the Law of the Sea, and in particular Articles 117, 118, 119, 192, 194(5), 197 and 206;

[1] The Western Tropical Pacific Islands Area (WTPIA) is defined by the exclusive economic zones of Pacific Island countries and territories in the tropical region and any high seas enclaves enclosed by those exclusive economic zones.

FURTHER RECALLING the relevant provisions of the United Nations Agreement to Implement the relevant provisions of the 1982 Law of the Sea Convention relating to straddling fish stocks and highly migratory fish stocks, and in particular Articles 5 and 6;

WELCOMING the ongoing discussions to establish a South Pacific Regional Fishing Management Organisation (RFMO), and supportive of efforts to cooperate to establish interim targeted protection mechanisms for vulnerable marine ecosystems;

COMMITS the members of the Pacific Islands Forum to urgently take actions consistent with international law to prevent destructive fishing practices on seamounts in the Western Tropical Pacific Islands Area (WTPIA) and to prevent destructive fishing practices in other areas of high seas in the WTPIA until an appropriate environmental impact assessment has been carried out, effective conservation and management measures are implemented to protect affected ecosystems, and effective monitoring, control, surveillance and enforcement measures are in place to measure to ensure that the measures are properly implemented and adhered to;

CALLS UPON members of the Pacific Islands Forum to advocate for an interim prohibition on destructive fishing practices, including bottom trawling in areas beyond national jurisdiction where there is no RMFO under negotiation until appropriate conservation and measurement measures are in place; and to advance international efforts to institute an immediate interim prohibition on destructive fishing practices including bottom trawling in these areas.

CALLS UPON members of the Pacific Islands Forum to advocate for interim conservation and management measures in areas where they are negotiating an RFMO by 31 July 2007. In the absence of such interim measures, calls upon states to advocate for an interim prohibition on destructive fishing practices, including bottom trawling beginning on 1 August 2007 until such measures are in place.

DETERMINES, to this end, to convene a meeting of regional fisheries management experts and legal advisers to contribute to the development of model legislation to guide the domestic implementation of this commitment.

RECOMMENDS that consideration is also given to the use of other options to give greater international effect to the intent of this Declaration including;

1. the possible inclusion of the high seas areas in the tropical Pacific within the area covered by the proposed South Pacific Regional Fisheries Management Organisation or another RFMO with the necessary competence;

2. the possible development of a separate arrangement for the WTPIA area including relevant areas of the high seas and the Pacific Island countries and territories' EEZs in the form of a convention to address the impacts of destructive fishing practices;

3. where the science supports, to investigate the potential to use multiple use Marine Protected Areas in the WTPIA to prevent destructive fishing practices in the high seas enclosures beyond the limits of national jurisdiction.

CALLS on the international community to support, and cooperate in, the implementation of this commitment to sustainable fisheries and, in particular urges flag states whose vessels operate in the WTPIA to promptly implement measures to ensure their vessels and nationals do not engage in destructive fishing practices in the WTPIA.